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**FOREIGN POLICY, NATIONAL SECURITY STRATEGY AND
MORALITY: THE ENDURING RELEVANCE OF THE JUST WAR
THEORY TO MILITARY STRATEGY AND INTERVENTION**

**Deeds which they would atone for with their lives
if committed in peace, we praise them for having
done under arms. ----Seneca**

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FOREIGN POLICY, NATIONAL SECURITY STRATEGY, AND MORALITY: THE ENDURING RELEVANCE OF THE JUST WAR THEORY TO MILITARY STRATEGY AND INTERVENTION

Morality: Relating to, serving to teach, or in accordance with, the principles of right and wrong; principles of right and wrong in conduct.

Webster's Dictionary

Introduction

There is a closely woven nexus between foreign policy, military policy and morality underscoring the American political system. The United States' political tradition, at least since 1945, has encompassed the imperative to not only maintain its power--political, economic and military--but also to project its values, its ethics and its morality on the global scene. At times, the tensions and contradictions between prudent politico-military policy, on the one hand, and ethical considerations, on the other, create fissures in the body politic. One may only look at the interplay between military strategy and morality in our experience in Vietnam, or the heavy moral pressure which pushed the Clinton Administration's hand in the decision to intervene militarily in Bosnia to underscore the uneasy relationship between power, both political and military, and morality.

The purpose of this essay is to focus on the tensions between morality and military policy, i.e., at a time when the increasing emphasis for American military forces is to engage in smaller scale contingencies, humanitarian interventions, peacekeeping, and a wide range of non-combat situations. One only need look at the recent past when American armed forces were used for interventions in civil crisis, such as has been the case in Haiti, Somalia, and Rwanda, (or the recent calls for American military intervention in the crumbling situation in Zaire) to see that American forces are being placed all too

frequently in highly ambiguous situations¹ These situations are hostile and dangerous, but they do not necessarily directly involve warfighting scenarios for which American military forces are specifically trained In fact, these interventions place strains on the application of present military strategies, both at the strategic and operational level, which call for more traditional types of military engagement As part of this examination between military strategy and morality, this essay will examine the just war tradition, the factors which affect the application of just war criteria to military strategy and military engagement, and will suggest that the just war tradition remains as relevant for today's political and military theorists as it has for theorists and practitioners over the centuries

The Present Context

Although the bipolarity of the cold war, and its consequent threat, ended almost a decade ago with the tearing down of the Berlin Wall and the collapse of the Soviet Union, the Clinton Administration remains committed to maintaining a leading and unique role for the United States in a complex and regionally uncertain world Furthermore, the nation, as a collective, has not made the decision to withdraw from the world's stage The Clinton Administration's national security policy of "engagement and enlargement" is a strategy for continued American presence and activism in a post-cold war world devoid of major peer competitors, but filled with instability and smaller challenges As can be seen from the recent past, the U S military has been integrally involved in implementing

¹ A recent editorial by author David Rieff warned of the price of intervention in Zaire, "Americans should not let the moral fervor of interventionism blind them to the implications of military action If the United States goes in, it should be with the understanding that such humanitarian moves are rarely if ever quick, clean or easy " David Rieff, "Intervention Has a Price", *New York Times*, November 14, 1996

elements of this strategy, actively engaged in changing the internal dynamics of Panama, Somalia, Iraq, Rwanda, Haiti and Bosnia

The military's role in the strategy of "engagement and enlargement" will remain as, if not more, important in fulfilling the strategic mandates of this national security policy. The forthcoming Quadrennial Defense Review, a strategy document which reflects the Pentagon's reassessment of defense priorities for the future, will emphasize the need for American military forces to participate in peacekeeping operations, be involved in humanitarian assistance and interventions, combat terrorism, conduct anti-drug and other noncombat operations. Although the need for the military to be appropriately postured and structured to "fight and win" two major regional conflicts will remain a centerpiece of the military's strategy, an array of military operations other than war are given an increased level of importance for the nation's warfighters. "The report states that the continued involvement of U S troops in "multiple concurrent" noncombat operations will remain an imperative if the United States wants to maintain its leading world role and help shape the international security environment in ways favorable to it. Even if U S participation in (small scale contingencies) is selective these operations will likely pose the most frequent challenge for U S forces through 2010 and may require significant commitments of forces, both active and reserve."²

As a consequence of this military strategy, much discussion already is focusing on how U S forces should be structured (or restructured) to meet these challenges, the trade-offs

² Washington Post, "Pentagon Studies Expanded Roles for a Smaller Future Military Force," April 2 1997, p. 1. The article continues that "[B]y emphasizing the growing involvement of U S forces in non-combat operations the heightened danger of unconventional threats, the report presents a broader, more complex view of the world and demands on American troops, than the last Pentagon blueprint, the 1993 Bottom-Up Review, which guided defense policy during President Clinton's first term."

between readiness and modernization, the imperative to recapitalize the force, ways in which to harness the revolution in military affairs and the number of troops needed to support this strategy. In fact, there is also criticism about the the military's increasing involvement in smaller scale operations because of the ways in which they degrade the military's ability to conduct true warfighting. A recent Congressional House National Security Committee report on military readiness concluded that "declining defense budgets, a smaller force structure, fewer personnel and aging equipment, all in the context of an increase in the pace of operations, are stretching U S military forces to the breaking point" ³

Curiously, what has been lacking in the debate about the roles and missions of the U S military and its involvement in a wide array of operations other than war has been the lack of emphasis on the moral and/or ethical dimensions of our military strategy. The issue which is rarely featured in the debate over military strategy is the relationship of moral values to military strategy. "Perceptions of the morality of U S operations will affect whether, how, and for how long we are allowed to fight. The perceptions that count are those of the American public, our soldiers, and to a lesser degree, the rest of the free world" ⁴. Implicit in this statement is the desire to answer the question where is the moral standing for our engagement and does the military strategy underscore the moral context of our engagement? Thus, when American forces are engaged in noncombat operations, it is necessary to ask why are we engaged, what are the moral limits of our

³ Eradley Graham, "Military Forces are Near 'Breaking Point,' GOP Report Charges", Washington Post, April 9, 1997, p 1

⁴ James C Gaston and Janis Bren Hietala, Ethics and National Defense, The Timeless Issues, National Defense University Press, (Washington, D C , 1993), p 187

engagement, and is the military strategy used to support the national policy ethically linked and appropriate to our national security objectives

U.S. National Strategy, Military Strategy and Morality

The U S National Security Strategy rests on several presumptions First, the uniqueness of U S power in the international framework to mold and to shape global events in the interests of the United States and its allies Second, the use of American armed forces to project the sinews of this power Third, and the most difficult to quantify and project, the uniqueness of our moral role in the international system, i e , that the United States is the sole nation in the international system capable of effecting the proper balance and principle to the betterment of all ⁵ The Clinton Administration's "A National Security Strategy of Engagement and Enlargement states "[n]ever has American leadership been more essential to navigate the shoals of the world's new dangers and to capitalize on its opportunities the U S recognizes that we have a *special responsibility* that goes along with being a great power and at times, our global interests and ideals lead us to oppose those who would endanger the survival or well-being of their peaceful neighbors our commitment to freedom, equality, and human dignity continues to serve as a beacon of hope to peoples around the world we are the world's greatest power and we have global interests as well as responsibilities " (italics added)

Clearly, it can be deduced from the stated security strategy that the United States places itself in a special position, as an example of particular moral leadership and obligation in the international setting, as the nation designated to regulate the international

⁵ Colin Gray described this situation aptly when he highlighted the following remark, "the U S is a uniquely principled actor in international politics, a Lockean nation in a Hobbesian world " Colin Gray, Foreign Policy-There is No Choice," Foreign Policy 24, 1976

scene Therefore, with the moral underpinnings of the National Security Strategy clearly evident, the National Military Strategy, as the military derivative of this overarching strategy, is crafted to directly support its mandates There is, thus, an assumed as well as an explicit **direct linkage** between national goals and the military strategy to support it ⁶

Why Morality Matters

Some have argued that because war is so destructive and dangerous, inherently immoral or evil, there can be no application of morality or moral principles to its conduct Those who would argue this position, tread on dangerous territory for they would abandon the type of restraints and limitations which can only come from the adherence of some type of moral framework When forces are employed in the pursuit of national interests, there is usually collateral damage--civilian casualties, psychological costs, property damage, economic disruption The use of military force, whether in warfighting situations or in noncombat operations, potentially has a direct impact on the lives and well-being of hundreds, if not thousands, of people The employment of military forces has intended and unintended consequences and it is necessary for policymakers, both civilian and military, to be aware of the ramifications of this involvement

Therefore, a key question for civilian and military leaders alike is not simply can the United States win future conflicts, but can the United States, in the pursuit of national interests, win these conflicts and act morally, minimizing the level of death and

⁶ A J Bacevich, in his article Morality and High Technology, aptly points out that underlying America's military victory in the Gulf War was a moral subtext "Desert Storm was satisfying not only because it was a decisive victory won at surprisingly low cost, but also because the enterprise was unbesmirched by ethical ambiguity "We went halfway around the world," President George Bush assured a joint session of Congress on March 6, 1991, "to do what is moral, just and right " That assurance was precisely what Americans longed to hear " The National Interest, Fall 1996, p 39

destruction “If U S forces cannot fight with substantially Western moral values and maintain in the U S public a prevailing opinion that they are doing so, then we likely will lose the next war Unfortunately, military tradition, doctrine, and force structure present the strong possibility we will fight an immoral and ineffective war We ignore the strategic value of morality to our peril ” ⁷ This issue becomes even more acute when in the pursuit of elusive, non-traditional military targets, e g , terrorists and drug-traffickers, whose destruction may be at a price of an unacceptable level of civilian destruction and death The moral calculus between what is societally acceptable in a civilized nation and what is demanded of the military in pursuit of declared national interests must be weighed in a moral context

Military intervention in a moral framework

Of the areas for consideration in military operations other than war is the category of military intervention Military intervention, the use of the military instrument to physically occupy or interfere or radically change the affairs of a sovereign state is viewed in the international setting as intrinsically wrong⁸ The presumption against intervention, that is, one state intervening in the sovereignty of another state, remains a potent force in international politics, despite the evolution of regional, multilateral and international organizations which eat at the foundations of national sovereignty The international norm against intervention is supported by basic principles of international law and right of self-determination of nations For example, article 2(4) of the United Nation Charter states

⁷ James C Gaston and Janis Bren Hietala, *ibid*, p 188

⁸ Although Michael Walzer in his book “Just and Unjust Wars” distinguishes between four types of interventions—self-determination/self-help, secession, civil war, humanitarian intervention—for the purpose of this essay intervention will be treated as one category

“All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State ”

The most utilitarian and historically useful framework for creating an ethical assessment for the use of force and intervention--in this situation military--has been the just war theory and tradition. The just war theory about the justice of war sets out two separate, but interrelated, criteria for assessment of military engagement/intervention: *jus ad bellum* and *jus in bello*. *Jus ad bellum*, the justice of war, asks whether war is morally acceptable, is it right to resort to armed force⁹, *jus in bello*, justice in war, asks if war is being fought with the appropriate means to minimize destruction and suffering, does it discriminate between the guilty from the innocent. “The Just War principles are generally, if unconsciously, accepted as practical moral principles by Americans, and they represent Western values with respect to international relations, sovereignty of states, human rights, and the value of human life and property ”¹⁰

Factors involved in the application of just war theory

The problem with applying morality to military strategy is that moral standards are often absolute--right and wrong--and all-encompassing, while military strategy is, or should be, tied to political imperatives which are subjective, situational and subject to vast degrees of interpretation. Does this mean that there is no room for morality or ethics in military strategy? Quite the opposite. Although some authors have argued that ethical or

⁹ In greater detail, “the resort to force must have a just cause. It must be authorized by a competent authority, and it must be motivated by the right intention. And it must pass four prudential tests: that it be expected to produce a preponderance of good over evil, that it have a reasonable chance of success, that it be a last resort, and that its expected outcome establish peace.” James Turner Johnson, “The Broken Tradition”, *The National Interest*, Fall 1996, p. 28.

¹⁰ Gaston and Hietala, *ibid*, p. 189.

moral considerations have in actuality played no real role in the formulation of military strategy¹¹--only a rhetorical role, what they have failed to consider is that the boundaries of what is morally acceptable in the implementation of military strategy shapes the strategy itself. If moral or ethical considerations played no viable role in military strategy, it would be feasible to argue that the use of tactical nuclear weapons, if not strategic, would have been more readily employed in combat since it may have made operational sense to use them. Thus, although it is important to acknowledge the often large divide between "declaratory norms enunciated by theorists and scholars and the operative norms reflected in the conduct of states in international relations,"¹² which create friction between the expectation of what is said and promised and what is actually done, nonetheless moral considerations do play a role in the exercise of foreign, and military policy. It may at times be easier to look only at immediate political gratification and take the easiest road to a solution, for involving moral factors in decisionmaking and strategy building is not for the fainthearted. "Aspiring to be both global hegemon and righteous democracy, the United States has struggled with the dilemma of using the vast power at its disposal while still satisfying self-imposed requirements that it act in a morally defensible manner."¹³

Jus ad bellum

First, what is important to adjudicate is the tension between what may be morally or ethically right and what is politically mandated or required. It would be stretching the

¹¹ Colin Gray has written "[t]he United States, Americans in the large, and Americans individually, are--and have been--no more virtuous than most other polities and peoples (although it is not to be denied that Americans have often appeared to be more self-righteous and pious than many other." *ibid*, p. 115-116

¹² George Weigel and John R. Langan, S.J., (ed.), *The American Search for Peace*, Georgetown University Press, p. 162

¹³ A.J. Bacevich, *ibid*, p. 38

boundaries of naivete to suggest that rigid moral standards must dictate the political goals of a nation and, as a consequence, the employment of its military forces. However, there must be a general ethical framework within which political power, and military use, operates where vital national interests and moral obligations are weighed. For example, it may have been morally justified for the West to have intervened in the Hungarian revolution of 1956 or the Czech revolt of 1968, but it was politically, and ultimately morally, imprudent to do so because of the large scale risk involved to U S , European, and East European forces and the subsequent dangers of nuclear escalation. Marshall Cohen has noted that in weighing any moral calculus for intervention, it is incumbent on the actor to focus on not "creating disproportionate risks of immense suffering and death to vindicate some otherwise acceptable or even highly desirable moral principle or policy."¹⁴ Policy, both political and military, operates in the nexus between what is morally right and what is politically prudent, sometimes the two neatly converge--feeding the starving in Ethiopia--sometimes they are directly in conflict. It is essential for policymakers, both civilian and military, to reconcile the two whenever possible.

Second, moral issues have a greater urgency in their relation to military strategy in an all-volunteer force. The U S military, in order to attract the type of individual it needs to fulfill the nation's defense mandate, must be acutely aware of the actions which it asks its troops to follow. There is a direct connection between military activities and societal acceptability based on a moral foundation of what is acceptable to the majority of the body politic. "The American people have a distinctive perspective on employing U S armed

¹⁴ Marshall Cohen, *Morality and Military Intervention* in "War & Morality Symposium," United States Military Academy, West Point, May 1980, p. 48

forces in war, a perspective rooted in national values of democracy and human rights. This sentiment is an outflow of the Judeo-Christian concept of "just war" ¹⁵

Jus in bello

First, an issue which must be reconciled when relating moral issues to military strategy is the disconnect between the ideas which govern the employment of U S military forces in combat situations and the moral framework which governs the employment of military forces for noncombat missions. Both the Weinberger Doctrine, ¹⁶ and its follow-on companion the Powell Doctrine, ¹⁷ require the use of "overwhelming force" when U S American military power is committed. This view of force employment, largely a reaction to the U S defeat in Vietnam, is sharply in contrast to the moral mandates, jus in bello, for noncombat operations. This situation is particularly true when combatting terrorism and counterdrug operations where the prospect for significant civilian and innocent casualties is present when combating an elusive foe. "[M]any operations other than war require a different mind-set, one of restraint. The enemy cannot always be clearly identified, nor will it be easy to distinguish combatants from noncombatants. Modern belligerents are frequently nonnation states: clans, terrorists, ethnic factions, religious groups or drug cartels" ¹⁸

¹⁵ Maj Kurt C Reiting, *ibid*, p 12

¹⁶ Former Secretary of Defense Caspar W Weinberger during a November 1984 address to the National Press Club, titled "The Uses of Military Power," outlined six criteria to be adhered to when considering the employment of military forces. Taken as a totality, these criteria are restrictive and limit the applicability of the use of American troops for foreign missions. See Caspar W Weinberger, *Fighting for Peace: Seven Critical Years in the Pentagon*, (New York: Warner, 1991)

¹⁷ Outlined in *Joint Pub 1: Joint Warfare of the US Armed Forces* (Washington: National Defense University Press, 1991)

¹⁸ Maj Kurt C Reiting, *ARMY*, "Command and Control for Third Wave Warfare," February 1995, p 9

Second, the revolution in military affairs in its drive for technological advancement and greater precision in munitions and overall lethality, poses problems when dealing with situations which call for restraint and are inherently limited. In addition, some of the systems envisioned and the present focus on information warfare create a “virtual war” capability in which the soldier is, at times, physically, but more importantly, psychologically removed from the adversary. In noncombat situations, this revolution in military affairs, in many cases, has little to no applicability or utility to the situation at hand. Many of these scenarios call for non-lethal means of engagement, close physical presence of soldiers with opposing or intended target groups and a separate set of skills than is required in direct warfighting contact. For peacekeeping and peace-enforcement operations, the recent trend in the development of non-lethal weapons, and more emphasis on police, rather than military skills, is encouraging. This type of focus fulfills the *jus in bello* criteria where just and appropriate means are tied to just and appropriate ends.

Just War Theory: Still Relevant

The just war theory remains relevant for the United States in today’s international setting in that it offers a useful tool tying political ends to military means through an ethical framework. Its relevance is particularly applicable to foreign policy mandates which call for military interventions. In examining the possibility of military intervention, it is necessary for both the political and military strategist to determine if all efforts short of the military instrument have been utilized, if the intervention indeed will result in a “preponderance of good over evil” which will serve to resolve the conflict in a favorable way, and that the military strategy is appropriate and not programmed for operational

failure *Application of the just war principles does not prohibit the use of force, but rather, it asks for its appropriate application* “The fundamental policy implication for just-war reasoning, rightly understood, is thus not only that there is a place for the use of force under national authority in resistance to armed attack, but also a place for employment of military means in response to broader kinds of threats to national security, and to the values at stake (whether this takes the form of preventing starvation, rectifying the criminal looting of civil order, fending indiscriminate warfare against enemy populations, or rolling back interstate aggression)”¹⁹

It is crucial for the United States to avoid the situation it found itself in during the Vietnam War, where the youth of its generation who fought the North Vietnamese were blamed by the society for the lack of moral courage and foresight of the political and military strategists who failed to link prudent political ends with appropriate and just military means. The issue facing our nation is not whether we can afford to apply moral standards to the conduct of our military strategy, rather, it is can we afford to abandon them. All the above would suggest that we cannot

¹⁹ James Turner Johnson, *ibid*, p 36

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